

## **LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**P.A.S.:** Special Permit #1917

**DATE:** June 18, 2001

**PROPOSAL:** Olsson Associates on behalf of Husker Dealership Property, L.L.C has requested a special permit to allow the storage of vehicles for sale where parking is permitted. The applicant has agreed to coordinate the landscape plan in conjunction with this request and therefore has provided more landscaping than is otherwise required.

### **GENERAL INFORMATION:**

**APPLICANT:** Husker Auto Group  
4949 "O" Street  
Lincoln, NE 68510

**CONTACT:** Todd Lorenz  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508  
(402) 474-6311

**LOCATION:** N. 27<sup>th</sup> Street and Wildcat Drive

**LEGAL DESCRIPTION:** Lot 2, Block 1, High Pointe North Commercial Park 3<sup>rd</sup> Addition, Lots 1-6, Block 2, High Pointe North Commercial Park Addition, Lots 1, 2, & 3, Block 1, High Pointe North Commercial Park 2<sup>nd</sup> Addition, all located within the NE 1/4 of Section 36 T11N R6E, and generally located northwest corner of N 27<sup>th</sup> Street and Whitehead Drive

**SIZE:** 30.58 acres, more or less

**EXISTING ZONING:** H-3, Highway Commercial

**EXISTING LAND USE:** Vacant

**SURROUNDING LAND USE AND ZONING:** AG Agricultural with agricultural use to the northwest, H-3 Highway Commercial with commercial uses to the northeast, AG Agricultural and H-1 Highway Commercial with agricultural and commercial uses to the east, H-3 Highway Commercial and R-3 Residential with commercial and residential to the south.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Comprehensive Plan specifies this area as Commercial. Commercial areas in the developing area of the City are anticipated to have, on average, a floor area ratio of 0.25.

The following goals are pertinent to the proposed Special Permit:

- Identify, protect and enhance features which give Lincoln and Lancaster County its distinctive character, image, sense of purpose and means of orientation through urban design and historic preservation.
- Protect and improve important vistas and entryways to the city.

### **HISTORY:**

During the 1979 zoning update the area was changed to AG Agricultural.

On **September 3, 1996** the North 27<sup>th</sup> Street Subarea Plan was approved as an amendment to the 1994 Comprehensive Plan

On **September 22, 1997**, City Council approved Change of Zone #3068 from AG Agriculture to H-3 Highway Commercial and Annexation #97011 annexed the area into the City.

On **September 29, 1997**, City Council approved Preliminary Plat # 98030 for High Pointe North Commercial Center.

On **March 27, 2000**, City Council approved Preliminary Plat #00007 for High Pointe North Commercial Center 1<sup>st</sup> Addition which amended the approved preliminary plat.

### **SPECIFIC INFORMATION:**

**UTILITIES:** Available

**TOPOGRAPHY:** Sloping to the northeast

**TRAFFIC ANALYSIS:** The site is adjacent to Interstate 80, which is classified as an Urban/rural interstate & Expressway and North 27<sup>th</sup> Street which is classified as an Urban Rural Minor Arterial both classified in the Comprehensive Plan.

**ENVIRONMENTAL CONCERNS:** Increased runoff of storm water and pollutants into the wetland north of the property.

**AESTHETIC CONSIDERATIONS:** This site is located along the south side of Interstate 80, which makes it highly visible to people entering or exiting the city at the North 27<sup>th</sup> Street interstate interchange. In this sense the development of the site is sensitive. Therefore, the applicant has agreed to provide more landscaping through a coordinated landscape plan with the special permit. This area is not within any identified public way corridors and did not go through the Public Way Corridor review process.

**ALTERNATIVE USES:** To provide customer and employee parking in the front yard and provide all storage of vehicles for sale outside of the required yard setbacks.

**ANALYSIS:**

1. The H-4 zone permits general parking within the front yard setback. However, parking of vehicles for sale in the front-yard requires a special permit as identified in Title 27 Zoning Ordinance 27.63.700. Any area in a required front yard used for such storage of vehicles must conform to the parking lot design standards unless specifically adjusted or waived by the City Council.
2. The recent application of Special Permit #1908 by Anderson Ford adjacent to this site was required by condition 1.1.7 to “add a note to the plans to indicate that neither the hood or trunk of a car can be left open on the vehicles displayed for sale or resale in the front or rear yard except when the vehicle is inspected by a customer or being serviced”. This application should be required to maintain the standard set in Special Permit #1908. This will give the same appearance as vehicles parked in a parking lot
3. The Public Works and Utilities Department had the following comment: The suspected retaining wall is shown on the proposed grading plan along the Interstate side of the property. It appears that an elevation change from 14' on the west end to 10' on the east end will be required because of the difference in grade change. The grading appears to be satisfactory with drainage generally falling from the west to the east. The parking along the back side of this property will not be seen from the north because of the retaining wall.
4. The Public Works and Utilities Department has no objection to the proposed special permit for parking in the front yard setback as outlined in ordinance #17265 amending Title 27.
5. There is conflict between landscape materials in the LES easement. LES has indicated that the Parks and Recreation Department may have a list of landscape materials which are appropriate when transmission lines are near. The applicant should select materials that are appropriate for this area based on guidance from the Parks and Recreation Department.

6. The Lincoln Electric System also noted that the location of trees should be coordinated with the existing street lights so the trees do not block out the light on the street.

**STAFF CONCLUSION:** If the following conditions are met, the application is acceptable.

**STAFF RECOMMENDATION:** Conditional approval

**CONDITIONS:**

Site Specific:

1. This approval permits the storage of vehicles for sale where parking is permitted

General:

2. Before receiving building permits:

- 2.1 Revise the site plan to show:

- 2.1.1 A note to the plans to indicate that neither the hood or trunk of a car can be left open on the vehicles displayed for sale or resale in the front or rear yard except when the vehicle is inspected by a customer or being serviced.
- 2.1.2 Landscape screening that meets the City of Lincoln design standards along I-80 in accordance with Chapter 3.50 Section 7.1 (page 3.50-4).
- 2.1.3 Correct landscape notations as indicated in the materials list (Along I-80 materials are listed as "CJ" which does not appear on the materials list).
- 2.1.4 Landscape materials that are not in conflict with the transmission line easement and add a note stating the landscaping material selections with easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.
- 2.1.5 Street trees in coordination with the existing street lights so the trees do not block out the light on the street.
- 2.1.6 A note indicating that any relocation of existing facilities will be at the owner/developers expense

- 2.1.7 A note indicating that any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety requirements.
- 2.1.8 A note indicating that all plant materials on Wildcat Drive are to be located on private property.
- 2.1.9 A note indicating that the following street tree types will be located in the City right of way: Whitehead Drive/Red Sunset Maple & Telluride Drive/Skyline Honeylocust.
- 2.1.10 Corrected number of Sentry Ginkgo listed on the Landscape Schedule.
- 2.1.11 Corrected Legal Description.
- 2.1.12 A note indicating that required parking is to be provided according to Section 27.67.066 of Title 27 Zoning Ordinance and to be reviewed at the time of the building permit process.
- 2.1.13 A note indicating that interior site landscaping is to be provided according to the City of Lincoln Design Standards and to be reviewed at the time of the building permit process.
- 2.2 The permittee shall have submitted a revised final plan including 5 copies showing the following revisions and the plans are acceptable:
- 2.3 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

- 3. The following conditions are applicable to all requests:
  - 3.1 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
  - 3.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 3.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 3.4 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
- 4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Becky Horner  
Planner

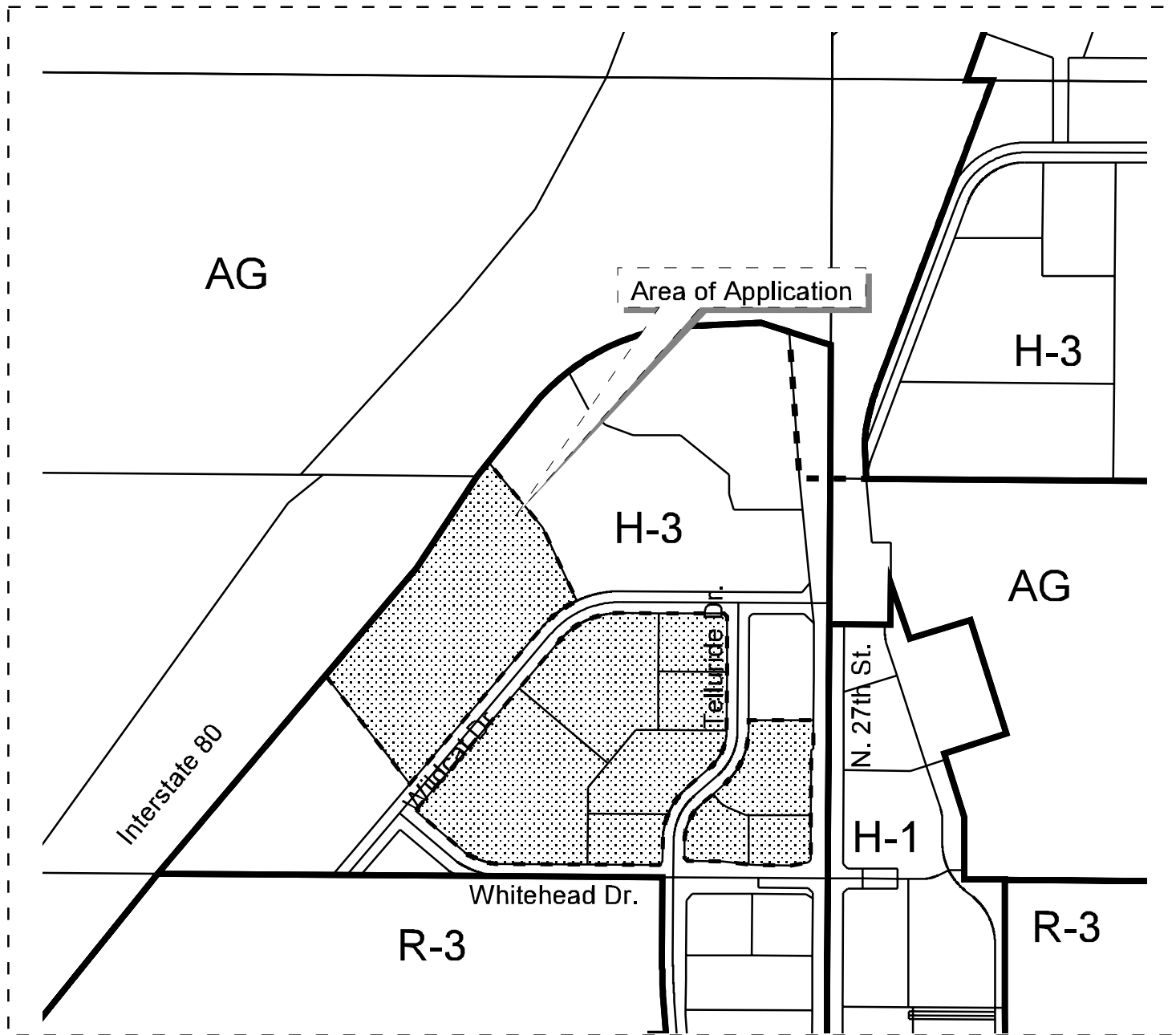
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**Special Permit #1917**  
**N 27th & I 80**



Photograph Date: 1999

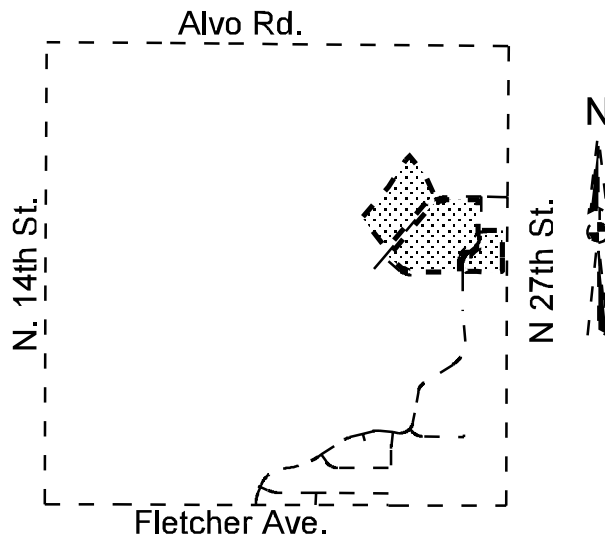
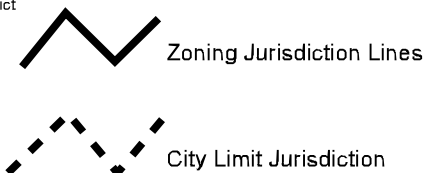


## Special Permit #1917 N 27th & I 80

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 36 T11N R6E



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Date:

Lincoln City - Lancaster County Planning Dept.

# Husker Auto

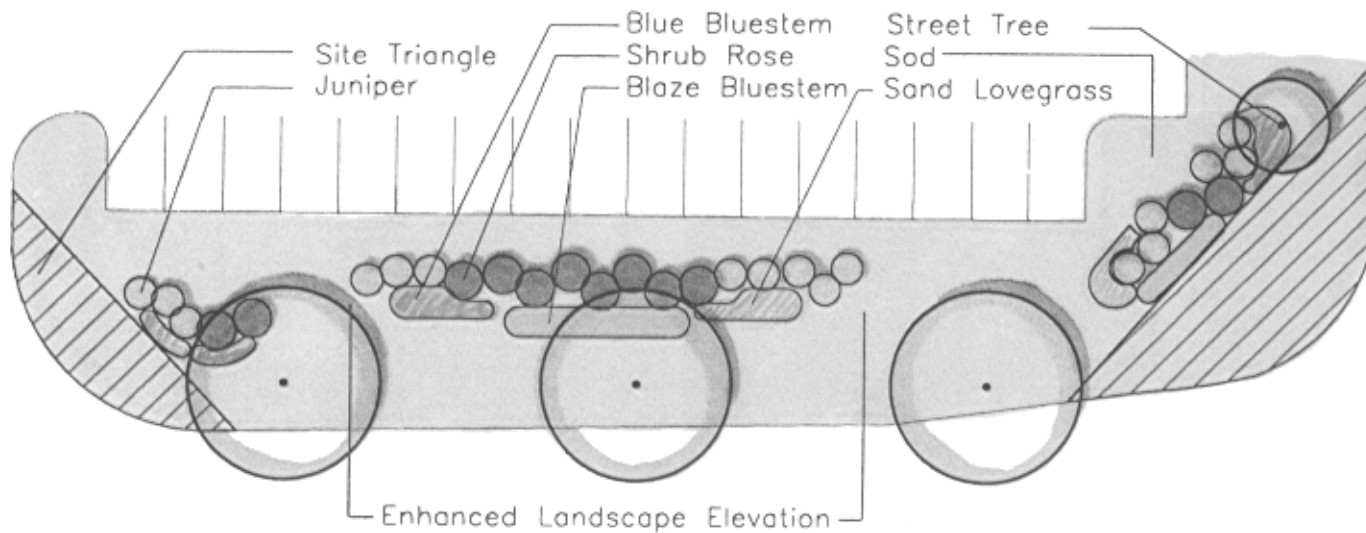
LINCOLN ■ NEBRASKA

## Landscape Concepts



**Enhanced Landscape Elevation**

Scale: 1"=10'



**Enhanced Landscape Plan View**

Scale: 1"=30'

